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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,327	12/03/2001	Satoru Tomekawa	56937-043	5544

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EXAMINER

LEWIS, MONICA

ART UNIT PAPER NUMBER

2822

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/998,327

Applicant(s)

TOMEKAWA ET AL.

Examiner

Monica Lewis

Art Unit

2822

--Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

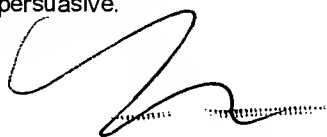
Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: Applicant argues that "not every combination of the disclosed materials satisfy the foregoing limitation set forth in claim 1 regarding the respective bonding strengths. As such, practicing the device of Sasaoka does not necessarily result in practicing the present invention." However, Sasaoka discloses the same compounds as disclosed in Applicant's invention. The items disclosed in claim 1 can be found in Sasaoka and Applicant's Invention as follows: a) wiring layers comprising copper foil (Sasaoka-See Column 22 Lines 7-10) (Applicant's Invention-See Specification Page 10 Lines 1 and 2); b) a conductor comprising a conductive powder and a thermosetting resin (Sasaoka-See Column 15 Lines 29-47) (Applicant's Invention-See Specification Page 15 Lines 5-19); and c) an insulating base comprising prepreg (Sasaoka-See Column 24 Line 1) (Applicant's Invention-See Specification Page 9 Line 11 and 12). The same materials that are disclosed in Applicant's invention are disclosed in Sasaoka. Therefore, since the same materials are utilized "the bonding strength between the wiring layers and the conductor would be greater than the bonding strength between the wiring layers and the insulating base." Finally, Applicant argues that "the Sasaoka reference unquestionably encompasses thousands of permutations for the material selected for the insulating base, the conductor and the prepreg. However, there is nothing in the disclosure of Sasaoka suggesting how one should select such variables." The Examiner does not have to disclose how one would "select the variables." Sasaoka discloses that the same materials could be utilized as disclosed in Applicant's invention. Therefore, Applicant's arguments are not persuasive.



Mary Wilczewski
Primary Examiner